

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK (MANHATTAN)

In Re:

Penny Ann Bradley,

Debtor.

**OBJECTION OF SLAWOMIR KONOPKA
TO APPROVAL OF DEBTOR'S CHAPTER
11 STIPULATION OF SETTLEMENT**

Case No.: 18-10122-JLG

Chapter 11

AND NOW comes, creditor SLAWOMIR KONOPKA (hereinafter "Mr. Konopka") by her attorneys Marzec Law Firm, P.C. to object to the approval of the Chapter 11 Stipulation of full and final settlement of all claims (hereinafter "Stipulation of Settlement") of Debtor PENNY ANN BRADLEY (hereinafter "Debtor") because it fails to comply with 11 USC 105(a) of the Bankruptcy Code, and Bankruptcy Rules 2002(a)(3) and 9019(a) and/or Debtor has failed to provide information, evidence, corrections to the Chapter 11 Stipulation of Settlement, Statements or other documents filed by Debtor to enable Mr. Konopka to evaluate the Stipulation of Settlement for approval as follows:

- a) On January 10, 2020 creditor Mr. Konopka filed a Proof of Claim containing supporting documentation listing pre-petition arrears in the amount of no less than \$11,510.03, for goods sold and labor for the installation of tiles and stone. A true copy of the Proof of Claim is attached hereto as **Exhibit A** and made a part hereof;
- b) Debtor's Stipulation of Settlement does not provide for payment of arrears to creditor Mr. Konopka;

- c) Debtor has failed to include appropriate language in the Stipulation of Settlement regarding the litigation commenced against the Debtor for payment of sums due and owing for Mr. Konopka's goods and labor provided;
- d) Creditor Mr. Konopka objects to Debtors' Stipulation of Settlement as it is underfunded. Debtor's Stipulation of Settlement should be amended to fully fund the arrears owed to Creditor Mr. Konopka. Approval of Debtor's proposed Stipulation of Settlement should be denied;
- e) The Stipulation of Settlement is not feasible, there is insufficient income to support payments to Mr. Konopka and the Stipulation of Settlement does not adequately provide all required in required amounts;
- f) The Stipulation of Settlement is not in good faith and unfairly discriminates against Creditor Konopka; and
- g) The Stipulation of Settlement is not in the best of interests of creditors.

WHEREFORE, creditor SLAWOMIR KONOPKA requests that the Court enter an order denying approval of the Debtor's Chapter 11 stipulation of Settlement and for such other and further relief as to the Court may deem just and proper.

Dated: March 30, 2020
Brooklyn, New York

Respectfully Submitted,

By: /s/ Darius A. Marzec
Darius A. Marzec, Esq.
Marzec Law Firm, P.C.
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